



**STATE OF MARYLAND**  
**BOARD OF WATERWORKS AND WASTE SYSTEMS OPERATORS**  
**MINUTES OF THE MEETING HELD ON:**  
**Thursday, November 18, 2021 At 10:00 A.M**  
**Virtual Video Conference Meeting via Google Hangouts**

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**MISSION OF THE MARYLAND BOARD OF WATERWORKS & WASTE SYSTEMS OPERATORS**

The Treatment Systems that provide drinking water for our citizens and handle the wastes generated by our daily activities play an important role in protecting Public Health and the Environment of Maryland. Through the Certification Program established by State Law, the “Board of Waterworks and Waste Systems Operators” sets the education, experience and examination standards for Operators and Superintendents who work in these vital systems.

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**BOARD MEMBERS PRESENT**

Jay Price	Sanitary Commission; Board Chair
Benjamin Thompson	County Government; Board Vice-Chair
Doug Abbot	Water Supervision
Bruce Darner	Agriculture; WWOA Liaison
Dominic Deludos	Industrial Superintendent
Eric Dutrow	Public-At-Large

**BOARD MEMBERS NOT PRESENT**

Hiram Tanner	Public-At-Large
Partha Tallapragada	Maryland Environmental Service
Rosann Ndebumado	Municipal Government (arrived 10:32 AM)

**LIASONS, GUEST & STAFF PRESENT**

Dee Settar	Board Secretary
Jennifer Bowman	Board Counsel
Martin Fuhr	Board Staff
Victoria Arbaugh	Board Staff
Shailaja Pelosi	MDE Liaison– Compliance Program
Scott Harmon	MRWA Liaison
Clark Howells	CWEA Liaison
James Ferris	Guest
Susan Springer	Guest

## **01. CALL TO ORDER**

Board Chair Jay Price called the meeting to order at 10:00 AM. Roll Call was done by Victoria Arbaugh, Board staff. The Board meeting was conducted online using Google Meet.

## **02. REVIEW AND ADOPTION OF PROPOSED MEETING AGENDA**

Board Members reviewed the November 18, 2021 draft Agenda. Ben Thompson moved to adopt the proposed meeting agenda with amendments. Bruce Darner seconded the motion. The motion carried unanimously with Board Chair abstention.

## **03. REVIEW AND APPROVAL OF DRAFT FOR PRIOR MEETING MINUTES**

Board Members reviewed the October 21, 2021 draft Meeting Minutes. Bruce Darner moved to adopt the minutes as amended with several corrections. Ben Thompson seconded the motion. The motion carried unanimously with Board Chair abstention.

## **04. BOARD CHAIR'S COMMENTS**

Board Chair Jay Price welcomed and thanked all Board Members, Staff, and Guests to the meeting. He thanked the Exam Review Subcommittee for their efforts and apologized for not being able to attend, noting he hoped to be able to attend the Subcommittee's next meeting. He invited Dee Settar to begin the discussion of Mr. James Ferris' Appeal of the Board Decision.

James Ferris advised that he was present to appeal the Board's Decision regarding his recent application for industrial I7 wastewater reciprocity. He noted that he allowed his certification to expire since he was not working in Maryland. Shailajah Pelosi confirmed that he was not currently working in Maryland. Dee Settar noted his application for reciprocity did not include drawings / schematics for the plant and advised Mr. Ferris to provide that information. As the plant remains under construction at this time, Jay Price advised Mr. Ferris to provide the planned start-up date as well as detailed treatment and process summary for the proposed I7 Plant. At this time, Dee shared the industrial tables and discussed treatment processes designated as I7 classification. Mr. Ferris will submit the additional information to be reviewed by the Board at the next meeting.

## **06. BOARD STAFF'S REPORTS**

### **A. Revenue & Expenditures Update**

Board Secretary Dee Settar presented the Draft October 2021 Revenue & Expense Report to the Board and explained that the figures had not yet been confirmed by MDE Fiscal Services. The Board had no questions regarding the information that was reported.

## **B. Board Initiatives & Updates**

Dee Settar briefed the Board on new database upgrades related to cash receipts and noted Board staff are excited as it is now nearing full implementation. Dee also updated the Board on the current contract for exams with the Association of Board Certifications (ABC). She explained encumbrances over \$50,000 must be approved by the Board of Public Works and that Board Staff had to reduce the number of exam seats planned for CY22 to stay within budget. Martin Fuhr added that, while the number of seats scheduled at exam sites has been reduced, additional seats can be added if demand requires. Dee added that she understood MDE would not have concerns if expenses exceeded appropriation but a request to increase an encumbrance for exams could present problems. The Board members understood and presented no additional questions.

## **07. OLD BUSINESS – REVISIT EXAMS AND OPERATOR CLASSIFICATIONS**

Dee Settar presented an updated proposed Calendar Year 2022 (CY22) Board Meeting Schedule. There was a brief discussion the April 2022 meeting to April 21st. The venue for the May 2022 meeting, planned at Wye Oak, was not yet confirmed.

## **08. REVIEW OF APPLICATIONS**

Martin Fuhr presented the following applications for Education Substitution, Reciprocity & Experience:

### **Sophia Oberton**

Ms. Oberton, from the Delmar Water Treatment Plant requested education substitution for her class 4 water treatment superintendent certification. Board Members discussed Ms. Oberton's education and requested clarification of regulations from Board Counsel Jenn Bowman. The matter was tabled until the November 18, 2021 Closed Session.

### **Zachary Schley**

Mr. Schley for the second time applied for experience credit toward his 5A certification, this time with a breakdown of his experience at the Frederick Water Treatment Plant. Although his hours at the plant far exceed the minimum hourly requirement, he has not yet met the minimum yearly time requirement to the position. Based upon that, Ben Thompson made a motion to deny the request, with Dominic Deludos seconding the motion. The Board voted unanimously to deny Mr. Schley's request.

### **Michael Case**

Mr. Case, of Singh Operational Services applied for experience credit toward his water treatment 4 operator certification. Based upon his 62 months of prior related experience, Martin recommended he be awarded 5 months experience credit, or one month per year. Doug Abbot made a motion to accept Martin's recommendation, with Bruce Darner offering a second to the motion. The motion passed unanimously. Ben Thompson abstained from the voting.

### **Josiah Guyer**

Mr. Guyer applied for one year of education substitution toward the minimum time requirement to obtain his 5A operator certification. Based upon the transcript submitted, Martin recommended Mr. Guyer be awarded 4 months of education credit, making him eligible for full wastewater 5A certification on January 1, 2023. Ben Thompson made a motion to accept Martin's recommendation, and Bruce Darner offered a second to the motion. The motion passed unanimously.

### **Theophilus Nimpson**

Mr. Nimpson submitted two requests, one for education and another for experience credit toward his 5A operator certification. As Mr. Nimpson submitted an application supporting 149 credits in math and science, Martin recommended he be awarded one year of education substitution and one year of experience. Board Members requested clarification of regulations from Board Counsel Jenn Bowman. The matter was tabled until the November 18, 2021 Closed Session.

### **James Ferris**

In October 2021, Mr. Ferris submitted an application for I7 reciprocity; his application was denied based upon his expired Maryland I7 certification. Mr. Ferris attended today's meeting to appeal the Board's decision, and Board Members determined he needed to submit design plans for the Maryland plant he will operate. Board Members requested clarification of regulations from Board Counsel Jenn Bowman. The matter was tabled until the November 18, 2021 Closed Session.

### **David Linahan**

Mr. Linahan requested I6 reciprocity from the state of Pennsylvania. Upon review of his application, Martin Fuhr determined the intendent plant is designated as I4. Board Members requested clarification of regulations from Board Counsel Jenn Bowman. The matter was tabled until the November 18, 2021 Closed Session.

## **Thomas Veasey**

Mr. Veasey requested I6 reciprocity from the state of Pennsylvania. Upon review of his application, Martin Fuhr determined the intendent plant is designated as I4. Board Members requested clarification of regulations from Board Counsel Jenn Bowman. The matter was tabled until the November 18, 2021 Closed Session.

## **09. SUBCOMMITTEE REPORTS**

### **A. Exam Subcommittee Update**

The Exam Subcommittee met with MDE Engineering & Technical Assistance Division Chief Alex McNamee, and Engineers Virgiline Ogingko and Zoe Goodson. Dee Settar advised that she would provide more detailed information during closed session.

## **10. DISCUSSION WITH BOARD LIAISONS AND GUESTS**

**Clark Howells (CWEA)** – Advised that CWEA will be updating strategy and will be hosting Water Palooza in addition to holding webinars on and 12/16/2021. They have received the first distribution for TRI-Con FY22. He again asked everyone to push the H2O Program to more private employers.

**Bruce Darner (WWOA)** – Advised that more than 15 people have signed up for the next class that is being offered.

**Jay Price (CSAWWA)** – Advised the Board that the Mid-Atlantic Utility Conference was a great success with over 300 attendees.

**Eric Dutrow (MRWA)** – Advised that they will hold a conference the first week of May, 2022.

## **11. BOARD VOTE TO MOVE INTO CLOSED SESSION**

Pursuant to General Provisions Article (“GP”) § 3-305(b), on a motion made by Bruce Darner and seconded by Ben Thompson, the following Board members voted in favor to move into closed session on November 18, 2021 at 11:30 AM via Google Meet video/ teleconference for the purpose of complying with certain provisions of the Open Meetings Act: Dominic Deludos, Bruce Darner, Ben Thompson, Doug Abbott, and Eric Dutrow; Board Chair Jay Price abstained. The motion carried.

## **12. ADJOURNMENT**

Bruce Darner moved to adjourn the open meeting at 11:30 AM. The next meeting will be held on **December 16, 2021 Video Conference Meeting held via Google Meet.**

## **CALL TO ORDER AND PURPOSE OF CLOSED MEETING**

With a quorum present, Chairman Jay Price called the meeting of the closed session to order at 11:36 AM to perform administrative functions, pursuant to the following provisions of GP § 3-305(b):

GP § 3-305(b)(2) - To protect the privacy or reputation of individuals concerning a matter not related to public business

GP § 3-305(b)(7) - To consult with Board Counsel to obtain legal advice

During the closed meeting, the following Board members were present: Chairman Jay Price, Vice-Chairman Ben Thompson, Doug Abbott, Dominic Deludos, Bruce Darner, and Eric Dutrow. The following MDE staff were also present during the closed meeting: Jenn Bowman, Dee Settari, Martin Fuhr, and Victoria Arbaugh. The following Board Members were not present: Partha Tallapragada, Rosann Ndebumbo, and Hiram Tanner.

## **TOPICS DISCUSSED DURING CLOSED MEETING**

Board Members reviewed Closed Minutes for the October 21, 2021 meetings and discussed the following items: reciprocity and credit applications tabled during the open meeting; update of proposed regulatory changes; and update of exam review.

*The November 18, 2021 Open Meeting Minutes were approved by the WWSO Board on December 16, 2021*